

REMARKS

The Applicants appreciate the thoroughness with which the subject application has been examined. The Applicants further appreciate the allowance of claims 17-48 and the indication of allowable subject matter in claims 3-5, 8-11, and 13-15. By this amendment, claims 1 and 2 have been amended to overcome the Examiner's rejections and objections and more concisely claim and describe the present invention. New claim 49 has been added. Claims 1-49 remain in the application for reconsideration by the Examiner. The Examiner's allowance of all pending claims is earnestly solicited.

MATTERS RELATED TO THE CLAIMS

The Examiner has rejected claims 1, 2, 6, 7, 12 and 16 under Section 102(e) as anticipated by Moore (6,573,869).

To further define the invention over the cited art, the Applicants have amended claim 1 as set forth above in the marked-up version of the claim. In particular, the last paragraph of independent claim 1 now reads, "a sidewall extending from a top plate edge in the direction of the ground plane, wherein the sidewall is not disposed over the ground plane."

Support for the Applicants' change is found in Figure 1 and the supporting text in paragraph [0024]. The sidewall, also referred to as the meanderline element 22, is also described in paragraph [0026] and illustrated in Figures 2 and 3.

Moore discloses a tab 34 disposed over the ground plane 18, as can be seen in Moore's Figure 1. Thus, since Moore's sidewall is disposed over his ground plane 18, claim 1 as amended by the Applicants is allowable thereover. Moore also lacks any suggestion, reference or even a hint of the advantageous characteristics derived from employing the Applicant's sidewall without connection to the ground plane. See the Applicant's paragraph [0037] for a discussion of the tuning effects realizable by adjusting the Applicant's antenna elements, including the sidewall, which in one embodiment is implemented as a meanderline element.

Claim 2 has also been revised such that, "only a portion of the top plate overlies the ground plane when the antenna is operative with the ground plane." Such is not disclosed

by Moore as the entire area of his entire patch 12 overlies the ground plane 18 or the ground plane 20.

It is respectfully submitted that each of the rejected dependent claims 2, 6, 7, 12 and 16 dependent from amended independent claim 1 include one or more elements that further distinguish the invention over the art of record. These claims should therefore also be in condition for allowance.

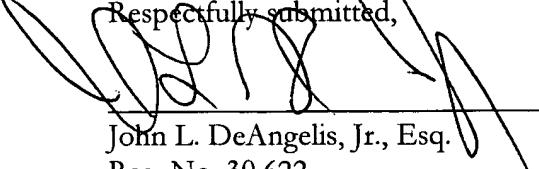
Claims 3-5, 8-11, and 13-15 have been objected to but would be allowable if re-written in independent form including the limitations of the base claim and any intervening claims. While the Applicants sincerely appreciate the indication of allowable subject matter in these claims, the Applicants respectfully submit that these claims are currently in condition for allowance based on the amendments to claim 1 from which each depends either directly or indirectly. Thus, the re-writing of claims 3-5, 8-11, and 13-15 is held in abeyance pending the Examiner's reconsideration of amended claim 1.

The Applicants have also added new claim 49 as set forth above. As can be seen, the radiating element as set forth in claim 49 comprises a first portion and a second portion, "wherein when operative with the ground plane the first portion overlies the ground plane and the second portion extends beyond the ground plane." Among others, this element distinguishes claim 49 from Moore in that within Moore the entire patch 12 is disposed over either the ground plane 18 or the ground plane 20. Support for new claim 49 can be found in Applicants' Figures 2 and 3, and the corresponding specification material beginning in paragraph [0026].

The Applicants have attempted to comply with all of the points raised in the Office Action and it is believed that the remaining claims in the application, i.e., claims 1-49, are now in condition for allowance. In view of the foregoing amendments and remarks, it is requested that the Examiner's claim rejections have been overcome and that new claim 49 is allowable over the cited art. It is respectfully requested that the Examiner reconsider these rejections and objections and issue a Notice of Allowance for all claims pending in the application.

If a telephone conference will assist in clarifying or expediting this Amendment or the claim amendments made herein, Examiner Nguyen is invited to contact the undersigned at the telephone number below.

Respectfully submitted,


John L. DeAngelis, Jr., Esq.

Reg. No. 30,622

Beusse Brownlee Wolter Mora & Maire, P.A.
390 North Orange Avenue, Suite 2500
Orlando, FL 32801
(407) 926-7710

CERTIFICATE OF MAILING

I HEREBY CERTIFY that the foregoing Amendment is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17th day of November, 2004.


Pamela A. Pagel